

AUG. 1. 2006 1:36PM

ZILKA-KOTAB, PC

NO. 3726 P. 15

\* \* \* COMMUNICATION RESULT REPORT ( MAY. 23. 2006 3:00PM ) \* \* \*

P. 1

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FILE MODE OPTION

ADDRESS

3032 MEMORY TX

RESULT

PAGE

USPTO

OK

6/6

REASON FOR ERROR  
E-1) HANG UP OR LINE FAIL  
E-3) NO ANSWER

E-2) BUSY  
E-4) NO FACSIMILE CONNECTION

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FAX COVER SHEET

Date: May 23, 2006	Phone Number	Fax Number
To: Board of Patent Appeals & Interferences		
From: Kevin J. Zilka		(571) 273-8300

Docket No.: SVIPGP003A

App. No: 10/691,060

Total Number of Pages Being Transmitted, Including Cover Sheet: 06

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8/29/21 2:48p

## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kevin J. Zilka et al.

Group No.: 3629

Application No.: 10/691,060

Examiner: Mooneyham, J.

Filed: October 22, 2003

Date: May 23, 2006

For: CONVENIENT WEB CONTENT STORAGE METHOD AND COMPUTER  
PROGRAM PRODUCT FOR A NETWORK BROWSER

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**ATTENTION: Board of Patent Appeals and Interferences****REQUEST FOR REHEARING**

This Request for Rehearing is being filed within one (1) month of the mailing of the Decision on Appeal mailed May 18, 2006.

Per M.P.E.P. Section 1214.03, following is a point clearly overlooked in rendering the aforementioned Decision upon which rehearing is sought.

In response to 9 pages of detailed multi-faceted arguments (see pages 10-19 of the Reply Brief mailed November 21, 2005), the Board of Appeals merely provides the following 1-paragraph, 4-sentence response and an incorporation by reference:

Reply Brief--page 1 of 5

The appellants argue that the examiner is inconsistent in relying upon both Rivette's display of patent numbers and notes as being content, and that the notes are not associated with a URL (reply brief, pages 12-20). Rivette's patent numbers are identifiers as that term is used by the appellants (specification, page 8, line 12). In Rivette's figure 148, the patent numbers are hyperlinks correlated with the content displayed to the right of the hyperlinks. Hence, Rivette meets the appellants' claim requirement for preselecting an identifier and thereafter displaying, using a network browser, content that is associated with at least one URL and is correlated with the identifier.

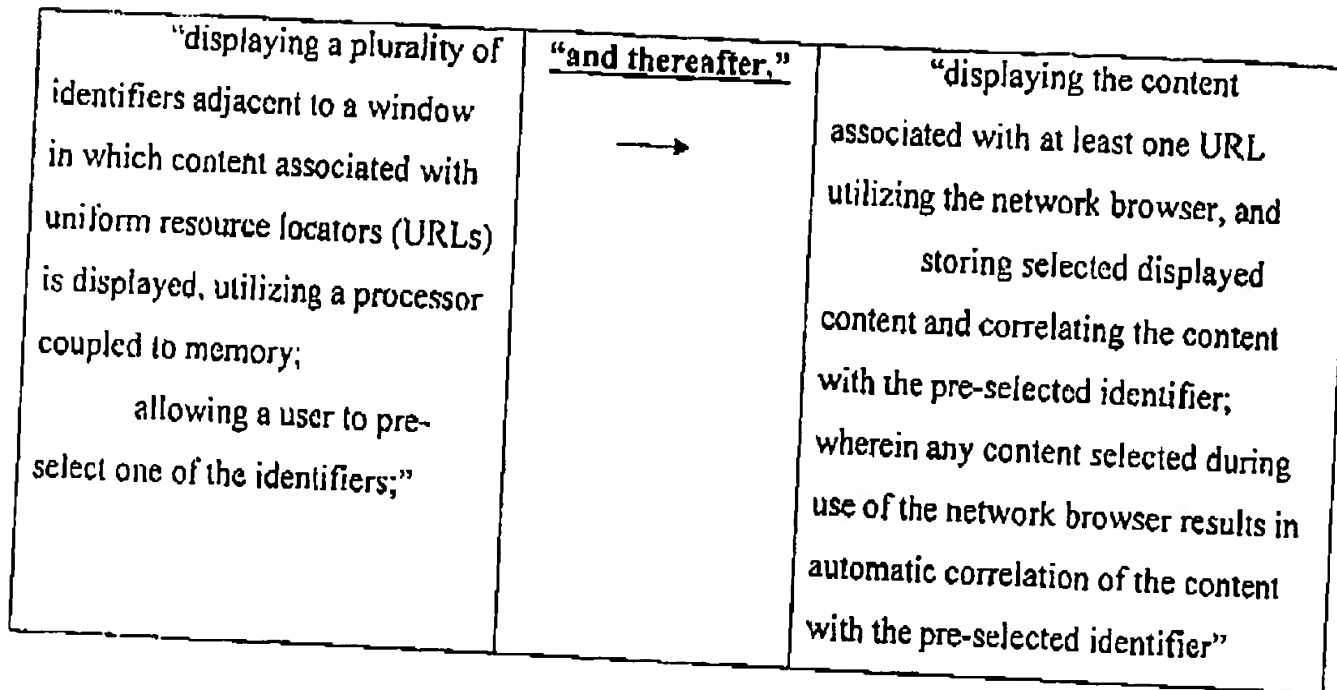
While appellant respectfully believes that a majority of appellant's arguments have not even been addressed, appellant points out the following overlooked argument only, with the hope that the Board will consider it fully.

Specifically, the above 1-paragraph response overlooks "Sub-argument #3(c)" of pages 17-18 of the Reply Brief mailed November 21, 2005.

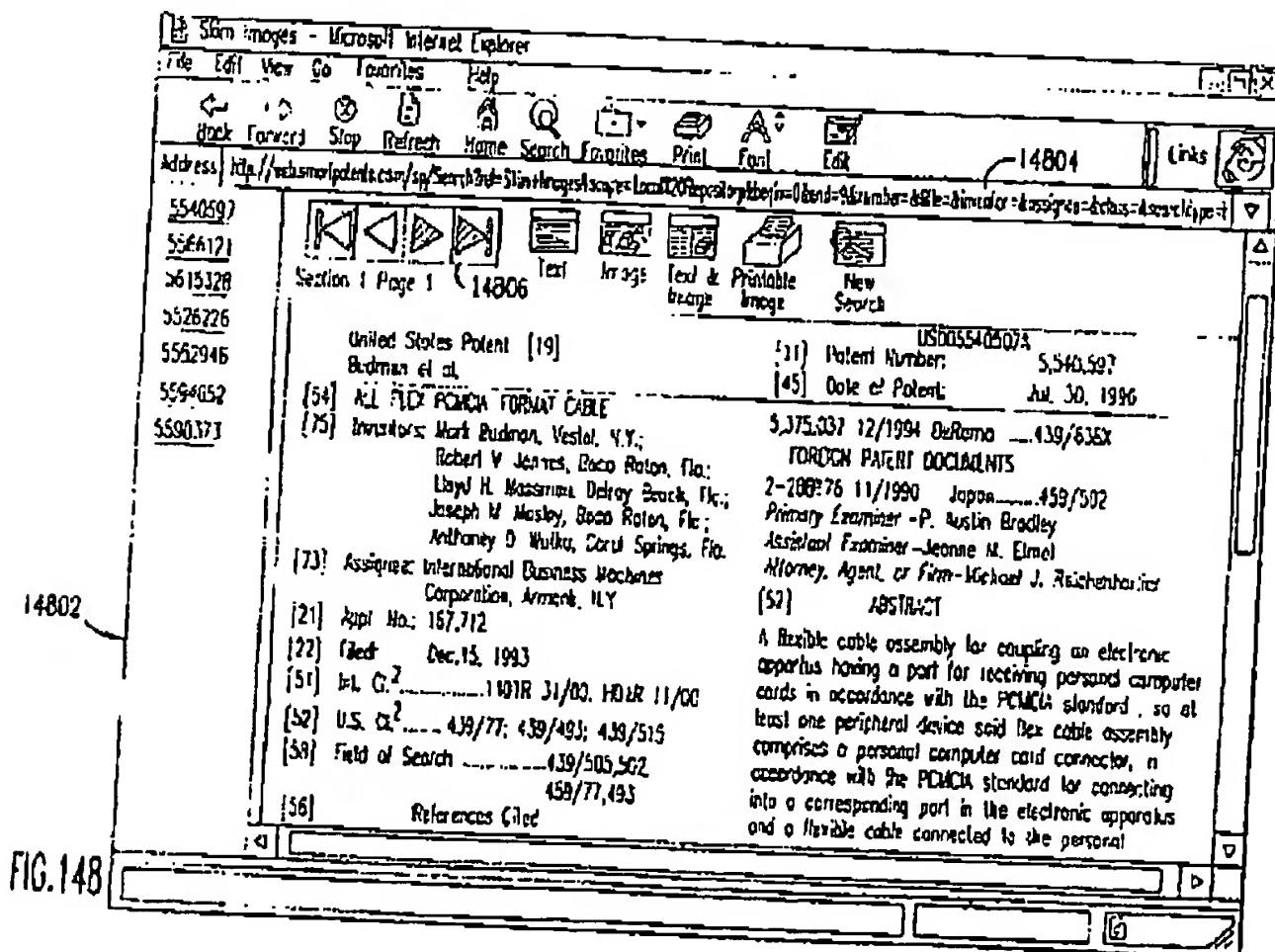
The Decision merely makes a conclusive statement that "[i]n Rivette's figure 148, the patent numbers are hyperlinks correlated with the content displayed to the right of the hyperlinks. Hence, Rivette meets the appellants claim requirement for preselecting an identifier and thereafter displaying, using a network browser, content that is associated with at least one URL and is correlated with the identifier."

Even if the above statement is true, this is **NOT** fully representative of what appellant is claiming and what was previously argued. As set forth in Sub-argument #3(c) and as shown below, appellant claims steps in the following order.

Reply Brief—page 2 of 5



The decision merely cites Figure 148 of Rivette, which is shown below, for convenience:



Per overlooked Sub-argument #3(c), appellant again asks the Board to address ONE issue:

How does the above interface of Figure 148 even suggest the following claimed functionality AFTER the "displaying" of the identifiers and allowing the user to "pre-select" the same, as shown in Figure 148?

"storing selected displayed content and correlating the content with the pre-selected identifier; wherein any content selected during use of the network browser results in automatic correlation of the content with the pre-selected identifier."

The interface of Figure 148 merely allows browsing of already-stored, already-correlated content associated with identifiers, as the Board states. Specifically, by selecting and clicking on the patent number 5540597 in the existing/pre-selected list adjacent to the window, content associated with 5540597 is thereafter displayed in the window. Thus, as specifically argued by the Examiner, the foregoing quoted "pre-selection" language, as claimed, is met by Rivette's disclosure that "[b]y selecting ... the patent number 5540597 in the ... list adjacent to the window, content associated with 5540597 is thereafter displayed in the window."

However, the interface of Figure 148 does NOT, "THEREAFTER," store and correlate selected content with a pre-selected identifier such that ANY content selected during use of the network browser results in AUTOMATIC correlation of the content with the pre-selected identifier (emphasis added), as claimed.

The specific benefits of this functionality over Rivette are set forth in also-overlooked Sub-argument #3(d) of pages 18-19 of the Reply Brief mailed November 21, 2005.

This argument has been clearly overlooked by the Board, and a rehearing is respectfully requested.

AUG. 1. 2006 1:38PM

ZILKA-KOTAB, PC

NO. 3726 P. 21

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 971-2573. For payment of any additional fees due in connection with the filing of this paper, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1351 (Order No. SVIPGP003A).

Respectfully submitted,

By: \_\_\_\_\_

Kevin J. Zilka

Reg. No. 41,429

Date: \_\_\_\_\_

5/13/07

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Reply Brief--page 5 of 5